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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,335	10/17/2003	James M. Booe JR.	3282-72278	2293
23643	7590	06/24/2005	EXAMINER	
BARNES & THORNBURG 11 SOUTH MERIDIAN INDIANAPOLIS, IN 46204			EDGAR, RICHARD A	
			ART UNIT	PAPER NUMBER
			3745	

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary

Application No.

10/688,335

Applicant(s)

BOOE, JAMES M.

Examiner

Richard Edgar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-11, 16-18 and 20 is/are allowed.
6) ☒ Claim(s) 12-15 and 19 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

Response to Arguments

Applicant's arguments, see page 5, filed 16 May 2005 with respect to the rejection(s) of claim(s) 12-15 and 19 under 35 U.S.C. § 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of a different interpretation of the previously applied Chen reference (U.S. Patent Application Publication 2002/0085914).

Previously, the resilient bushing 54 of Chen was interpreted as a single resilient member. While the bushing 54 is still being interpreted as a single resilient member, the single member is comprised of a plurality of resilient members which either extend along, or partly around, the propeller axis to form the integrated resilient member or bushing 54.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-15 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent Application Publication No. 2002/0085914 (Chen hereinafter).

Chen shows an assembly for connecting a propeller 20 to a drive axle 12, the assembly comprising: a drive member 74 configured to mount on the drive axle 12, the drive member 74 having an axis and including a plurality of radially outwardly extending ribs 86, a tubular member 44 coupled to the propeller, the tubular member having an axis and a plurality of radially inwardly extending ribs 50, and resilient member 54 made from a plurality of resilient members, each resilient member being positioned between one of the plurality of radially outwardly extending ribs 86 and one of the plurality of radially inwardly extending ribs 50 (see Fig. 3), the resilient members each having a planar contact surface and a planar counter-drive surface (see Figs. 3 and 4).

The planar contact and counter-drive surfaces are in radial alignment with the drive member axis (see Figure 1

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below).

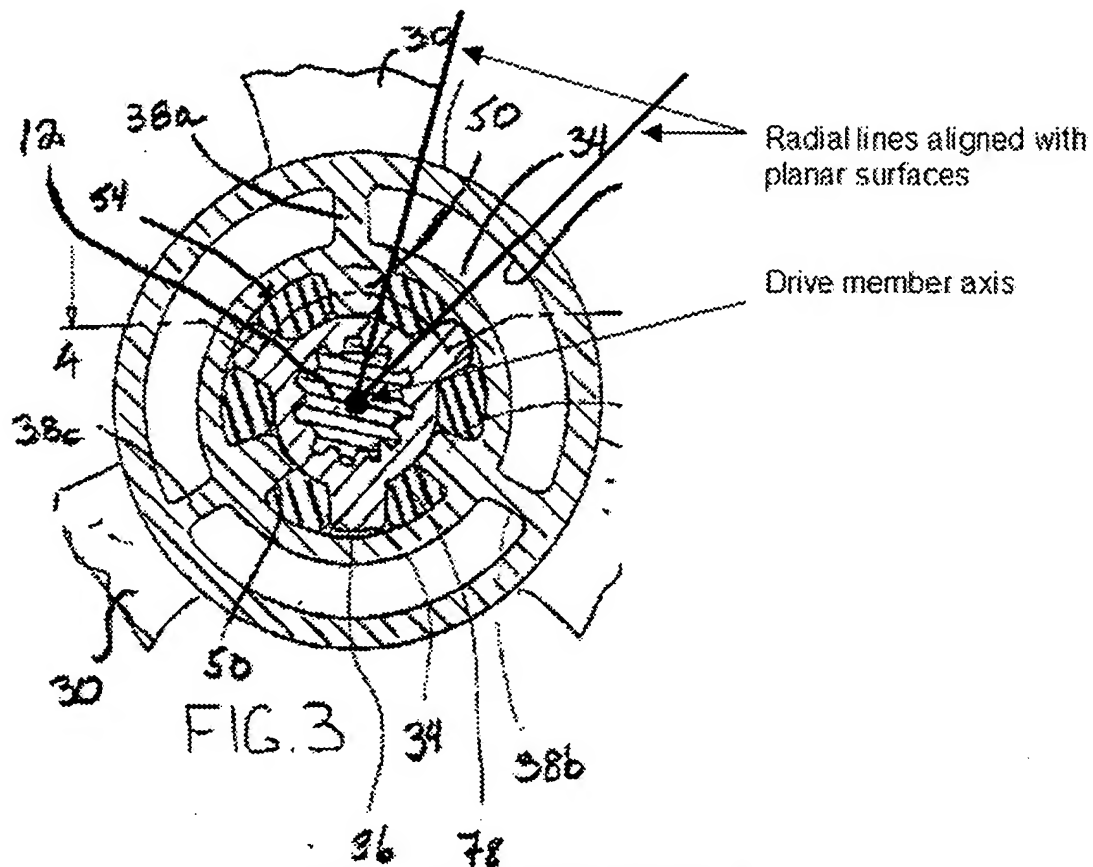


Figure 1: Chen annotated Fig. 3

Each of the plurality of resilient members has a longitudinal axis in parallel alignment with the drive member axis (see Chen Fig. 1).

Chen similarly shows an assembly for connecting a propeller 20 to a drive axle 12, the assembly comprising: a drive member 74 configured to mount on the drive axle 12, the drive member having an axis and including a plurality of radially outwardly extending ribs 86, an insert 44 having a plurality of sides 40, 42, the insert being configured to mate with an inner hub 28 of the propeller, the insert having an axis and a

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plurality of radially inwardly extending ribs 50, and a resilient member 54 comprised of a plurality of resilient members, each resilient member extending between one of the plurality of radially outwardly extending ribs 86 and one of the plurality of radially inwardly extending ribs 50.

Allowable Subject Matter

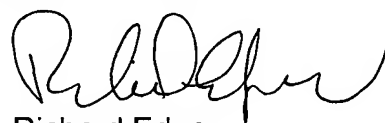
Claims 1-11, 16-18 and 20 are allowed.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Edgar whose telephone number is (571) 272-4816. The examiner can normally be reached on Mon.-Thur. and alternate Fri., 7 am- 5 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Richard Edgar
Examiner
Art Unit 3745

RE



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6/22/05